

### **REMARKS**

This responds to the Office Action mailed on February 19, 2010. Applicants thank Examiner for his thorough examination of the pending application.

Claim 8 is amended. Claims 1-21 are pending in this application.

### **Allowable Subject Matter**

Claims 1-7 and 15-21 were allowed. Applicants thank the Examiner for the indication of allowability of claims 1-7 and 15-21.

### **35 USC § 101 Rejection of the Claims**

Claims 8-14 were rejected under 35 USC § 101 because the claimed invention was indicated to be directed to non-statutory subject matter.

Applicants have amended claim 8, as suggested in the Official Action. The preamble of claim 8, as amended, recites: “a machine readable tangible storage medium containing instructions, which when executed...”. Support for this amendment may be found in the application-as-filed, e.g., on page 18, lines 6-10. Applicants respectfully submit that “tangible” excludes intangible transitory media. Claims 9-14 depend from claim 8. Applicants therefore request that these rejections be withdrawn.

### **CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant’s attorney (603-668-6560) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-4238.

Respectfully submitted,

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